

### REMARKS

Claims 35-50 are pending in the application. Claims 1-34 are canceled and new claims 35-52 are added. No new matter has been added.

Applicant thanks the Examiner for taking time to discuss the outstanding Office Action on July 18, 2006. In accordance with that discussion, and in view of the present amendment and remarks, reconsideration of the rejections set forth in the Office Action dated April 5, 2006, is respectfully requested.

#### Rejections of Claims 1-24, 33, and 34 under 35 U.S.C. 112

Claims 1-24, 33, and 34 stand rejected under 35 U.S.C. 112. Claims 1-24, 33, and 34 have been canceled thereby rendering moot the rejection under Section 112.

#### Rejections of Claims 1-11 under 35 U.S.C. 102

Claims 1-9, 15-19, 21, 24, 33, and 34 stand rejected under 35 U.S.C. 102(b) as allegedly being anticipated by U.S. Patent No. 5,616,142 to Yuan. Claims 1-9, 15-24, 33, and 34 stand rejected under 35 U.S.C. 102(e) as allegedly being anticipated by Publication 2002/0183755 to Michelson. Applicant has cancelled claims 1-34 thereby rendering moot the rejections under Sections 102(b) and (c).

#### New Claims

Applicant has added new claims 35-50. No new matter has been added. As discussed during the examiner interview, the prior art fails to teach or suggest the claimed device. For example, the prior art fails to teach or suggest an adjustor member that transitions between a first state wherein the adjustor member is fixed relative to the first member and movable relative to the second member, and a second state wherein the adjustor member is fixed relative to the second member and movable relative to the first member.

Thus, Applicant respectfully submit that claims 35-50 are patentably distinct over the prior art.

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify

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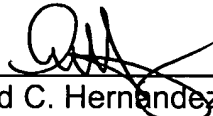
Attorney's Docket No.: 17348-016001  
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agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicants respectfully submit that the pending claims are now in condition for allowance and respectfully request the same. If the Examiner has any questions regarding the foregoing, he is cordially invited to contact the undersigned so that any such matters may be promptly resolved.

Respectfully submitted,

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